



Officer Report

Application Number:	HGY/2023/2362
Application Type:	Full planning permission
Address:	Bounds Green Garage, Bounds Green Road, Wood Green, London, N11 2QH
Proposal:	Use of Petrol Filling Station on a 24 hour basis
Case Officer:	Sarah Madondo
Valid Date:	27/09/2023
Applicant:	.
Agent:	Mr Matthew Gray

RECOMMENDATION

Approve with Conditions

PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed development

Use of Petrol Filling Station on a 24 hour basis

Site and Surroundings

The Site comprises a petrol fuel station with a linked kiosk store at land adjacent to, 2 Bounds Green Road. The site is located to the immediate north of Bounds Green Road. The kiosk store is located at the northern end of the Site with parking behind. The pumps are located centrally and the car wash to the east of the kiosk store.

Surrounding development in the immediate vicinity comprise a mixture of commercial and residential uses. Bowes Park Footpath separates the Site from neighbouring residential development to the west with the railway line to the east. To the south is Bounds Green Road with undeveloped land to the north. The Site is not listed or within a Conservation Area

Relevant Planning and Enforcement History

HGY/1997/1176 Land to adjacent to 2 Bounds Green Road N11 Forecourt redevelopment of petrol station comprising new pump islands, canopies and underground storage tanks. Approved subject to conditions

HGY/2003/0315 Total Service Station Bounds Green Road N11 Operation of petrol filling station on 24 hour basis. Refuse.

CONSULTATION RESPONSE

The response below were received following consultation on the application:

LBH Transportation Team: No objection subject to condition to restrict noise

MATERIAL PLANNING CONSIDERATION

The main planning considerations raised by the proposed development are:

1. Effect on living conditions of neighbouring occupiers/broader amenity of the area.
2. Transport considerations.

Impact on neighbouring amenity

Paragraph 174 of NPPF 2023 states: Planning policies and decisions should contribute to and enhance the natural and local environment by:

e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and

London Plan Policy D6 outlines that design must not be detrimental to the amenity of surrounding housing, in specific stating that proposals should provide sufficient daylight and sunlight to surrounding housing that is appropriate for its context, while also minimising overshadowing. London Plan Policy D14 requires development proposals to reduce, manage and mitigate noise impacts.

DPD Policy DM1 'Delivering High Quality Design' states that development proposals must ensure a high standard of privacy and amenity for a development's users and neighbours. Specifically, proposals are required to provide appropriate sunlight, daylight and aspects to adjacent buildings and land, and to provide an appropriate amount of privacy to neighbouring properties to avoid overlooking and loss of privacy and detriment to amenity of neighbouring resident.

The application proposes to change the operational hours from 7am - 10pm to 24hrs period for 7 days a week and no physical works are proposed. The original planning permission for the redevelopment of petrol station under reference HGY/1997/1176 does not have hours of operation condition. Therefore the application would be assessed on its own merits.

Haringey Environmental Health Department require that noise levels generated by mechanical services plant should be designed to a level of 5 dB below the lowest measured background level during the proposed period of operation and as measured at the nearest residential windows.

The site comprises of kiosk store which is located at the northern end of the site with parking behind. The pumps are located centrally and the car wash to the east of the kiosk store. The primary use of the site is linked to servicing passing vehicles, given its location which is sustainable. Bounds Green Underground Station is located 200 meters to the north with Bowes Park railway station 200 meters to the northeast. Bus stops on Bounds Green Road are adjacent to it.

The applicant has submitted Noise Impact Assessment dated 1st September 2023 in support of this application. The service station is in a urban, residential location and therefore an noise assessment is required. The report states that nearest noise sensitive receiver (NSR) on the western boundary of the site is residential houses and there is also railway line on the eastern boundary.

The report states that partially attended monitoring exercise was undertaken at the site, over a weekend period, from Friday the 16th to Monday the 19th of June 2023 and the principle noise sources at the monitoring location include local road traffic, existing service station condensers, vehicular activity at the petrol station and pedestrian traffic along 'Bowes Park Walkpath'.

The noise assessment report further shows that the night time typical free-field residual sound level is 51 dB LAeq, 15 minutes and the predicted specific sound level is 42 dB LAeq, 15 minutes. This is 9 dB below the residual sound level, and as such, the specific sound level is not expected to be an incongruous sound by comparison to the acoustic environment. Furthermore, it should be noted that the proposals is within an urban acoustic environment and as such, noise character from vehicular movements and events (such as shutting car doors) is not expected to be distinguishable above the residual noise climate. Given that the site is separated by Bowes Park Walkpath and given that there an existing 2 metre brick wall around the petrol station it considered that noise level from the petrol fuel station would not be that significant.

In summary the report states that noise will have no impact to the existing noise sensitive receivers during the proposed extension of operational hours when residual sound levels are considered. Subject to the imposition of a noise condition, it is considered that the new change of operating hours will not harm the amenity of neighbouring residential properties. Notwithstanding the approval of this application, all safeguards under the Environmental Protection Act with regard to noise would remain at the Council's disposal and could be employed if complaints are received, namely the specified noise level not being met.

Transportation considerations

London Plan Policy T1 requires all development to make the most effective use of land, reflecting its connectivity and accessibility by existing and future public transport, walking and cycling routes, and to ensure that any impacts on London's transport networks and supporting infrastructure are mitigated. Policies T4, T5 and T6 set out key principles for the assessment of development impacts on the highway network in terms of trip generation, parking demand and cycling provision.

Local Plan Policy SP7 'Transport' states that the Council aims to tackle climate change, improve local place shaping and public realm, and environmental and transport quality and safety by promoting public transport, walking and cycling and seeking to locate major trip generating developments in locations with good access to public transport. This is supported by DPD Policy DM31 'Sustainable Transport'.

The Council's Transportation Team has been consulted and advises that the proposal would not generate a significant number of additional trips during the extended night-time hours. A maximum of 15 vehicles/ hour are expected to use the PFS. Therefore, there no transport objections subject to the imposition of noise condition.

Conclusion

The development is acceptable as it is not considered that it would harm nearby residential amenities or the visual amenities of the wider street scene.

All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted for the reasons set out above. The details of the decision are set out in the RECOMMENDATION

Conditions:

- 1 The development to which this permission relates must be begun no later than three years from the date of this decision notice, failing which the permission shall be of no effect.

Reason: This condition is imposed by virtue of Section 91 of the Town and Country Planning Act 1990 and to prevent the accumulation of unimplemented planning permissions.

- 2 Noise from the operation of the condenser units shall not increase the existing background noise level (LA90 15mins) when measured 1 metre external (LAeq 15mins) from the nearest residential or noise sensitive premises. The method of assessment shall be undertaken in accordance with BS4142:2014 'Methods for rating and assessing industrial and commercial sound'.

Reason: This condition is required to facilitate the beneficial use of the premises whilst ensuring that the amenities of adjacent residential properties are not diminished consistent with Policy DM1 of The Development Management DPD 2017